

**Remarks**

The application has been reviewed in light of the Official Action mailed July 18, 2005. Claim 1 has been amended. Claim 2 has been cancelled. Claims 1, 6 and 7 are pending in the application.

No new matter is introduced by the amendments. The amendments correspond to the matter disclosed in cancelled claim 2.

The Examiner has rejected claims 1, 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over Hamada et al. (US 5,201,820) in view of Hara et al. (US 5,687,824). As amended, Applicant respectfully submits that all pending claims are allowable over Hamada and Hara because all claims require a hydraulic system with a differential clutch pump, a feeder pump and a flow from the feeder pump past the valve to the hydraulic piston irrespective of the flow from the clutch pump.

Hamada does not anticipate the claimed invention because Hamada discloses a first oil pressure pump associated with the front wheels, a second fluid pressure pump associated with the rear wheels, a clutch with a fluid actuation oil pressure chamber, and a switching valve acting as a connection. (col. 4-5 l. 36-46 & l. 67-9). Hamada does not disclose a system that utilizes a differential clutch pump, a feeder pump, or maintains a base pressure in the hydraulic system. As a result, Hamada does not anticipate the claimed invention.

Hara does not anticipate the claimed invention because Hara discloses a main oil pressure pump in parallel with a sub-pump and a pilot switching valve that in one position simultaneously intercepts input and output ports, and connects the output port to a drain port. (col. 6 l. 11-16, col. 8 l. 14-28). Hara does not disclose a hydraulic system that utilizes a differential clutch pump, a feeder pump, and a means that allows the flow

from the feeder pump to pass the piston control valve irrespective of the flow from the clutch pump. As a result, Hara does not anticipate the claimed invention.

Further, the claimed invention is not rendered obvious by Hamada or Hara.

First, Hamada and Hara do not suggest or motivate one skilled in the art to modify either reference and arrive at the claimed invention. Neither reference discloses a system that enables a clutch to be engaged do to a base pressure. Hamada discloses a system that once a steady traveling speed is achieved there no longer is an oil pressure acting on the pressure chamber and thus no longer a transmission of torque on the rear wheels. (col. 6 l. 23-29). Hara discloses a pilot switching valve that either permits a pressure to engage the clutch and establish 4WD mode or intercepts the input and output ports and connects the output port to a drain port, establishing 2WD mode. (col. 8 l. 14-29). By having an on and off mode, the pilot switching valve prevents a flow from the sub pump to be transmitted to the hydraulic piston regardless of the flow from the main pump. Since neither Hamada nor Hara disclose a system that achieves the effect of Applicant's claimed device, one skilled in the art is not motivated to modify either reference to achieve that effect. Thus, the claimed invention is not rendered obvious by Hamada or Hara.

Second, one skilled in the art would not look to combine Hamada and Hara. Hamada discloses a system in which a differential pressure is established between two pumps only when there is a difference in rotation between the front and rear wheels. (col. 6 l. 14-23). When the rotation is equalized, Hamada discloses a system in which no pressure is maintained. (col. 6 l. 23-29). On the other hand, Hara discloses a system in which a base pressure is maintained in the hydraulic lines up to the pilot switching valve. (col. 8 l. 14-29). Neither reference indicates that it would be beneficial to combine the elements of a non base pressure system with the elements of a hydraulic

line base pressure system. As a result, one skilled in the art would not be motivated to combine these references.

In view of the foregoing amendments and remarks, it is respectfully submitted that all of the claims currently pending in the application are now in condition for allowance. Reconsideration and notice to that effect is earnestly requested.

Respectfully submitted,

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Wesley W. Whitmyer, Jr., Registration No. 33,558  
Attorney for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155